

Amendments to the Drawings

The attached Replacement Sheet of drawing includes changes to FIG. 12. This sheet, which includes FIG. 12, replaces the original sheet including FIG. 12. In FIG. 12, a label has been added to each of the blocks.

Attachments: Replacement Sheet (FIG. 12)

Annotated Sheet Showing Changes (FIG. 12)

REMARKS

The Specification and FIG. 12 of the Drawings have been amended. Claims 1-3, 5, 7, 13-16 and 18 have been amended.

The Examiner has objected to applicant's drawings and requested that FIG. 12 be designated as "Prior Art." Applicant has included a FIG. 12 so designated and the Examiner's approval of same is respectfully requested.

The Examiner has objected to applicant's title as not being descriptive. Applicant has amended the title to read "IMAGE PICKUP APPARATUS FOR RECORDING A PHOTOGRAPHED IMAGE IN A DIRECTORY." The aforesaid title is believed to be descriptive of the invention, thereby obviating the Examiner's objection.

The Examiner has rejected applicant's claim 15 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has argued that there is insufficient antecedent basis for the limitation "detected photographing position" in applicant's claim 15. Applicant has amended claim 15 to replace "detected photographing position" with "detected photographer." Antecedent basis for the "detected photographer" recitation is provided in applicant's independent claim 13 which recites a "photographer detection means for detecting the photographer of the image data." Applicant's amended claim 15 overcomes the Examiner's rejection under 35 U.S.C. § 112 and is therefore submitted as patentable.

The Examiner has rejected applicant's claims 1-9 and 11-12 under 35 U.S.C. 102(e) as being anticipated by the Cazier (US 6,657,661) patent. The Examiner has also rejected applicant's claim 10 under 35 U.S.C. 103(a) as being unpatentable over the Cazier patent in view of the Patton, et al. (US 6,408,301) patent. Applicant's claims 13, 14 and 16-18 have been

rejected under 35 U.S.C. 102(e) as being anticipated by the Abram, et al. (US 6,462,778) patent. Applicant's claim 15 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the Abram, et al. patent. With respect to applicant's claims, as amended, these rejections are respectfully traversed.

Applicant's independent claims 1, 7, 13 and 18 have been amended to better define applicant's invention. More particularly, applicant's amended independent claims 1, 7 and 18 have been amended to recite a position detection means for detecting the photographing position of the image data newly photographed by the image pickup means. Applicant's independent claims 13 and 18 have been amended to recite photographer detection means for detecting the photographer of the image data newly photographed by the image pickup means.

Applicant's independent claim 1 has further been amended to recite control means for detecting the directory of the attribute corresponding to the photographing position detected by the position detection means among the plurality of directories in which the image files are already stored and for controlling the recording means so as to store the image file containing the newly photographed image data in the detected directory. Applicant's independent claim 7 has been further amended to recite control means for detecting the group having the attribute items of the kinds having high correlation with the photographing position detected by the position detecting means among the plurality of groups where the image data are already allotted and for controlling the recording means so as to record the newly photographed image data by allotting the newly photographed image data to the detected group.

Applicant's amended independent claim 13 has been further amended to recite control means for detecting the group corresponding to photographer detected by the photographer detection means among the plurality of groups where the image data are already allotted and

for controlling the recording means so as to record the newly photographed image data by allotting the newly photographed image data to the detected group. Applicant's independent claim 18 has been further amended to recite control means for detecting the directory of the attribute corresponding to the photographing position detected by the position detection means and the photographer detected by the photographer detection means among the plurality of directories in which the image files are already stored and for controlling the recording means so as to store the image file containing the newly photographed image data in the detected directory.

Such constructions are not taught or suggested by the cited art of record. With respect to applicant's independent claim 1, the Cazier patent fails to teach or suggest detecting the directory of the attribute corresponding to the photographing position detected by the position detection means among a plurality of directories in which the image files are already stored. There is also no teaching in the Cazier patent of detecting a group having attribute items of the kinds having high correlation with the photographing position detected by the position detection means among a plurality of groups where image data are already allotted, as recited in applicant's amended independent claim 7.

More particularly, the Cazier patent discloses an imaging system which names the image files it creates by using the name of the location detected using a GPS device. Col. 1, lines 56-61. Specifically, Column 2, lines 27-44 of the Cazier patent disclose creating a file path for an image file using directory levels for the state and the city and a file name for a location within the city, such as Hawaii/Maui/East Beach.jpg. The path for the image file is created based on the latitude and longitude detected by the GPS device and the name corresponding to the latitude and longitude stored in the GPS database. The device in the

Cazier patent thus merely creates a name and a path for each image data file based on the detected location of the image corresponding exactly to the location name stored in the GPS database. There is no detection of a directory in the file system of the device in the Cazier patent from among a plurality of directories in which the image files are already stored. Nor is there any detection of a group having the attribute items of the kinds having high correlation with the photographing position detected by the position detection means among the plurality of groups.

Accordingly, applicant's amended independent claims 1 and 7, all of which recite one or more of the above features, thus patentably distinguish over the Cazier reference. Moreover, there is nothing taught or suggested in the Patton, et al. patent to change this conclusion.

With respect to applicant's independent claims 13 and 18, the Examiner has argued that the Abram, et al. patent discloses photographer detection means (user input 540, Fig. 5; col. 4, lines 25-30; col. 5, lines 20-50) for detecting the photographer of first image data (col. 4, lines 40-50; col. 5, lines 30-50) obtained by the image pickup means (ccd 120).

Applicant has reviewed the portions of the Abram, et al. patent cited by the Examiner, and there is nothing taught or suggested in the Abram, et al. patent of detecting the photographer of the image data. In particular, FIG. 5 of the Abram, et al. patent shows a user input area 540 which allows a user to scroll through categories of image files, which correspond to the content of the images. FIG. 5; Col. 4, lines 15-30. The category chosen by the user through the input area is then used to create a descriptive name for the image file name. Col. 4, lines 40-50. Column 5, lines 18-50 of the Abram, et al. patent further discloses that where audio content is associated with the image file, such audio content can be processed so as to recognize any descriptive words present in the audio and to create a descriptive file name

for the image file based on the words recognized. The Abram, et al. patent thus teaches selection of a descriptive category by the user or recognition of audio inputted by the user corresponding to the content of the image file so that the image file can be appropriately named. It is therefore apparent that the Abram, et al. patent does not teach or suggest detecting the photographer of image data newly photographed by the image pickup device. Moreover, there is no teaching or suggestion in the Abram, et al. patent of detecting a directory or a group corresponding to the photographer detected by the photographer detection means.

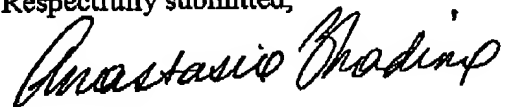
Applicant's independent claims 13 and 18, each of which recites such features, and their respective dependent claims, therefore patentably distinguish over the Abram, et al. patent.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 790-9200.

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Respectfully submitted,



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Annotated Drawing Sheet
Showing Changes
Sheet 1 of 1
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label added
FIG. 12 ((Prior Art))

